

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Travin Michael Lister,

Plaintiff,

v.

Case No. 2:14-cv-269

Pickaway County Sheriff's Office, *et al.*,

Judge Michael Watson

Defendants.

ORDER

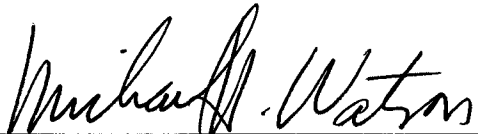
On December 9, 2014, Magistrate Judge Preston Deavers issued a report and recommendation ("R&R") in this *pro se* prisoner civil rights case, recommending that Defendants' motion for judgment on the pleadings, ECF No. 18, be granted in part and denied in part and that Defendants' motion for partial summary judgment, ECF No. 20, be granted. R&R 1, ECF No. 34. The R&R specifically advised the parties of their right to file objections within fourteen days and that failure to object to the R&R would result in a waiver of both the right to *de novo* review by the undersigned and the right to appeal the judgment of the undersigned. *Id.* at 16.

The time for filing objections has passed, and none were filed.

Accordingly, the Court **ADOPTS** the R&R. The Court thus grants Defendants judgment as to Plaintiff's Fifth and Eighth Amendment claims, Plaintiff's claims against Defendant Rine for excessive force and deliberate indifference, and Plaintiff's claims arising out of Defendants' refusal to allow Plaintiff's parents to

visit. The Court dismisses without prejudice Plaintiff's claims arising out of the use of the restraint chair. The Court denies as moot Defendants' motion as it relates to potential claims under the Ohio Constitution. The Court denies Plaintiff's motion to appoint an investigator or counsel. The Clerk shall terminate ECF Nos. 18, 20, and 34 from the Civil Justice Reform Act Motions Report.

IT IS SO ORDERED.



MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT